



**Water Resources Oversight Committee  
Tuesday, May 26, 2009  
11:30 am, 5<sup>th</sup> Floor Conference Room**

**AGENDA**

1. Approval of March 17, 2009 meeting summary
2. Reports
  - I. Budget/Financials
  - II. Construction Projects – Status (Ongoing, upcoming, & future)
  - III. Consent Decree - Status
  - IV. Storm water Issues – Status - (To include flooding)
  - V. Directors' Report
  - VI. Public Comment

*To conduct legislative review and provide guidance and legislative direction for all fresh water issues affecting the citizens of Fayette County, including implementation of Lexington's EPA Consent Decree and its status of compliance with the Clean Water Act.*

Federal Consent Decree Deadlines To Meet Sanitary Sewer Items - 5.18.09						
Chronological Numbering	Activity	Final Draft (1 month before EPA submittal, where applicable)	LFUCG Completion Goal (postmark date to EPA, where applicable)	Deadlines in the CD		Notes
				From Lodging Date (March 14, 2008)	From Effective Date (adopted by LFUCG as August 15, 2008)	
6	North Elkhorn Force Main		March 12, 2010	24 Months		3/14/10 is a Sunday
8	South Elkhorn Pump Station & Force Main		September 14, 2010	30 Months		
18	Deep Springs Pump Station		September 14, 2012	54 Months		
19	Dixie Pump Station		September 14, 2012	54 Months		
17	Blue Sky Pump Station/Force Main		August 15, 2012		4 Years	
9	SSA Group 1 Complete		March 14, 2011	36 Months		
11	SSA Group 2 Complete		September 14, 2011	42 Months		
14	SSA Group 3 Complete		March 14, 2012	48 Months		
10	SSA Group 1 Report	March 14, 2011	April 13, 2011	36 mo. + 30 days		EPA review/comment
13	SSA Group 2 Report	September 14, 2011	October 14, 2011	42 mo. + 30 days		EPA review/comment
15	SSA Group 3 Report	March 14, 2012	April 13, 2012	48 mo. + 30 days		EPA review/comment
12	Group 1 Remedial Measures Plan	September 13, 2011	October 13, 2011	36 mo. + 30 days + 6 mo.		EPA review/approval
16	Group 2 Remedial Measures Plan	March 13, 2012	April 13, 2012	42 mo. + 30 days + 6 mo.		EPA review/approval; 4/14/12 is a Saturday
20	Group 3 Remedial Measures Plan	September 12, 2012	October 12, 2012	48 mo. + 30 days + 6 mo.		EPA review/approval; 10/13/12 is a Saturday
	CMOM Implementation					
	SORP Implementation					
7	Capacity Assurance Program	July 13, 2010	August 13, 2010		2 Years	EPA review/approval; 8/15/10 is a Sunday
2	Fats, Oils & Grease (FOG) Report	July 14, 2009	August 14, 2009		12 Months	EPA review/approval; 8/15/09 is a Saturday
3	Sewer Line Preventative Maintenance Report	July 14, 2009	August 14, 2009		12 Months	EPA review/approval; 8/15/09 is a Saturday
1	Quarterly Report	July 15, 2009	July 30, 2009			
4	Quarterly Report	October 15, 2009	October 30, 2009			
5	Quarterly Report/Annual Report	January 15, 2010	January 29, 2010			

Federal Consent Decree Deadlines Met Sanitary Sewer Items - 5.18.09						
Chronological Numbering	Activity	Date Submitted	LFUCG Completion Goal (postmark date to EPA, where applicable)	Deadlines in the CD		Notes
				From Lodging Date (March 14, 2008)	From Effective Date (adopted by LFUCG as August 15, 2008)	
1	Notification of WWTP Backup Power Installation/Completion	March 31, 2008	April 1, 2008			Hard Deadline of 4/1/08
3	SSA Work Plan	June 9, 2008	June 12, 2008	90 Days		
4	Hydraulic Model Report	July 8, 2008	July 14, 2008	120 Days		7/12/08 is a Saturday
2	Notification of Appendix F Cross Connections Eliminated	July 9, 2008	April 14, 2008	30 Days		Work was completed in 2007; 4/13/08 is a Sunday
8	Sewer Overflow Response Plan	July 25, 2008	February 16, 2009		6 Months	EPA review/approval; 2/15/09 is a Sunday
9	CMOM Self-Assessment	August 26, 2008	February 16, 2009		6 Months	EPA review/approval; 2/15/09 is a Sunday
5	Capacity Assessment Work Plan	September 9, 2008	September 15, 2008	6 months		EPA review/comment; 9/14/08 is a Sunday
7	2008 Annual Report	January 29, 2009	February 2, 2009			Hard Deadline of 1/31/each year; 1/31/09 is a Sunday
10	Notification of PS...Adequacy Evaluation Report Completion	March 7, 2009	March 16, 2009	1 Year		3/14/09 is a Saturday
11	Quarterly Report	April 29, 2009	April 30, 2009		30 Days After 2nd Full Calendar Quarter	
12	Pump Station Operation Plan for Power Outages Report	May 14, 2009	May 15, 2009		9 Months	EPA review/approval
6	List of Authorized Future Connections	letter not yet submitted	December 15, 2008		120 Days	12/13/08 is a Saturday

Water Quality Management Fee - Draft Implementation Schedule as of 5/18/09	
1	2009
2	2010
3	2011
4	2012
5	2013
6	2014
7	2015
8	2016
9	2017
10	2018
11	2019
12	2020
13	2021
14	2022
15	2023
16	2024
17	2025
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159	2167
160	2168

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**Division of Water Quality**  
**Summary of Bond Fund Accounts with Project & Program Assignments**  
**May 26, 2009**

Fund	2501	2512	2517	2522	2522	
Dept ID	303201/4	303204	303204	303204	303204	Pending
Section	3334	3321/3333	3321	3321	3334	Stormwater
Account	92211	78201/92211	92211	92211	92211	Bond
<b>Available Funds</b>	<b>\$32,864</b>	<b>\$297,746</b>	<b>\$486,840</b>	<b>\$385,186</b>	<b>\$1,104,774</b>	<b>\$1,000,000</b>
House Demolition	32,864					
- Subtotal -	<b>\$32,864</b>					
Gainesway Pond		3,438				
McConnell Springs		148,265				
WQ Capital		15,413				
Stormwater Capital		37,630				
HD Fee-in-Lieu		93,000				
- Subtotal -		<b>\$297,746</b>				
FMA Grant Match			335,000			
Rookwood			40,000			
Anniston / Wickland			111,840			
- Subtotal -			<b>\$486,840</b>			
Sherwood / Robin				60,000		
Morgan Avenue				75,000		
Northwood Drive				65,774		
Det/Ret Maintenance				11,501		
Cooperative FP				4,332		
Rehabilitation				54,980		
WQ Capital				113,598		
- Subtotal -				<b>\$385,186</b>		
Anniston / Wickland				250,000		
Derby Drive				1,700		
Glendover West				30,000		
House Demolition				38,674		
Loch Lomond				225,000		
Radcliffe Road				309,400		
Whitemark Court				250,000		
- Subtotal -				<b>\$1,104,774</b>		
Northwood Drive					100,000	
Anniston / Wickland					900,000	
					<b>\$1,000,000</b>	

**Comments**

Remaining funds used for house demolition - fund will be depleted in 2009.

Funds to be used for contingency items in Gainesway Pond project.  
EPA 319(h) grant project has been bid - funds held for project construction.  
Funds held in contingency for Gainesway Pond & McConnell Springs construction.  
Contingency for capital projects including Sugar Mill FEMA grant.  
Grant match for EPA 319(h) grant - application submitted.

FMA grant has been approved for Shandon/Cabot & Ft. Sumter/Gayle areas.  
Design started by consultant.  
Consultant has started site investigation.

Design started by consultant.  
Reviewing information to determine if all flooded properties have been identified.  
Purchase & demolish houses that flood; one owner has agreed; combine with next bond.  
Funds will be used for North Pointe basin repair.  
Funds used to assist home owners.  
Ten projects identified - \$385,000 current best opinion of probable cost.  
Funds held in contingency for Gainesway Pond & McConnell Springs construction.

Combine with Fund 2517 for ROW acquisition and partial construction.  
One house left to purchase for demolition; owner has agreed to sell.  
Plat creation on Arboretum.  
Combine with Fund 2501 for demolition.  
Project being designed & easements acquired - construction expected in 2009.  
Project bid - construction to begin in spring 2009.  
One house left to purchase for demolition.

Finish purchases and demolitions.  
Fund part or all of construction depending on identified needs.

**DIVISION OF WATER AND AIR QUALITY  
OMNIBUS LIST OF ACTIVE STORMWATER PROJECTS**

May 26, 2009

Project Name	Type	Stage	Council District	Funds Available	Current Construction & ROW Estimate	Construction & ROW Funds Spent To Date	Comments
Derby Drive (#58.3)	C	A / C	10	Yes	\$500,000	\$447,000	4 houses purchased for demolition; 1 other offer approved by Council
Ft Sumter Stream Restoration	Q	M	6	Yes	\$22,000	\$18,000	Maintenance plan has been developed for existing plantings; ongoing
Green Acres Subdivision	C	D / A	1 / 2	Yes	\$0	\$0	Home purchase offers sent; floodproofing started; inlet design started
Loch Lomond Drive (#40.5)	C	D / A	4	Yes	\$300,000	\$0	Project to resolve home flooding; will build new system; build in 2009
McConnell Springs Wetland Pond	Q	C	2	Yes	\$153,000	\$0	EPA 319 grant; bids opened - contract to Council soon
Radcliffe Road (#40.3)	C	C	2	Yes	\$500,000	\$221,000	Project to resolve serious flooding; project bid
Trinity at Wellington	R	H	9	No	\$90,000	\$1,000	Rehabilitation project to repair broken system; design complete
Woodlake Way	R	C	5	Yes	\$15,000	\$0	Rehabilitation project to repair offset joint in storm sewer pipe
Holiday Rd	R	C	5	Yes	\$10,000	\$8,000	Sinkhole repaired to protect sw infrastructure; monitoring conditions
Gettysburg Rd	R	D	11	No	\$35,000	\$0	Storm sewer rehabilitation; public notice advertised
Viley- Sugar Mill Phase (#87)	C	D / A	11	Yes	\$300,000	\$300,000	FEMA grant; design expanded; culverts bids approved by Council
Rookwood Pkwy	C	D / A	6	Yes	\$40,000	\$0	Pipe needed to reduce home flooding; design started; getting easements
Anniston / Wickland (#47.5 / #54.6)	C	D	6	Yes	\$1,472,000	\$0	Consultant selected; preliminary investigation complete; design starting
Northwood Drive (#42.5)	C	A	6	Yes	\$613,000	\$126,000	Flooding homes to be purchased and demolished
North Pointe Basin	R	D	6	Yes	\$60,000	\$0	Design underway to repair failed detention basin
Sherwood / Robin (#4.7)	C	D	4	Yes	\$54,000	\$0	Designer selected; design started
Swigert Ave	R	H	6	No	\$30,000	\$0	Culvert replacement necessary
Freeland Dr	R	H	5	No	\$20,000	\$0	Headwall repair
Rand Ave	R	H	1	No	\$40,000	\$0	Failed pipe; either replace or line with CIPP
Zandale at Heather	R	H	4	No	\$50,000	\$0	Pipe failing in roadway
Appomattox Rd LOMR	C	D	11	Yes	\$0	\$0	Letter of Map Revision to FEMA following new culvert construction
FMA Grant	C	A	2 / 6	Yes	\$300,000	\$0	Approved FEMA grant to purchase/demolish homes; offers made
Glendover West (Arboretum b/walk)	C	C	4	Yes	\$0	\$0	Contractor told to repair failures in boardwalk
Whitemark Court (#58.7)	C	A / C	12	Yes	\$650,000	\$307,000	1 house purchased for demolition; 1 other owner considering
<b>Total</b>					<b>\$5,254,000</b>	<b>\$1,428,000</b>	

**Key for Project Type:**

**C - Capital Project to Address Flooding**

**Q - Water Quality Improvement Project**

**R - Rehabilitation Project to Repair Broken System**

**Key for Project Stage:**

**A - Property, Easement, or Right of Way Acquisition**

**M - Site Management**

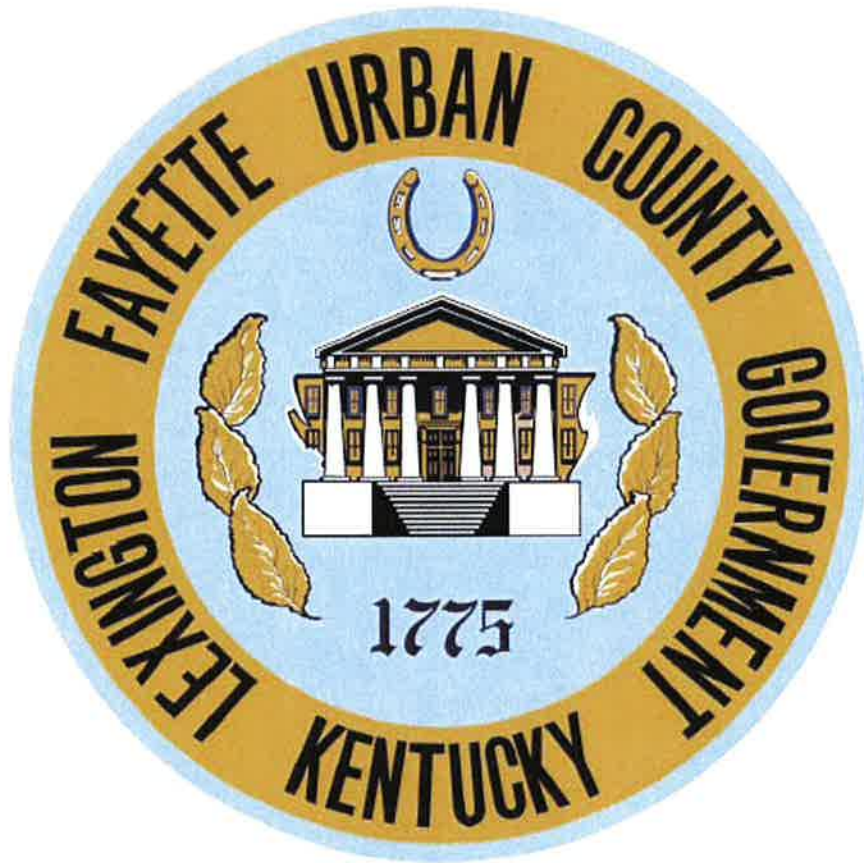
**S - Study**

**D - Design**

**C - Construction / Demolition**

**H - Project Hold**

# **Consent Decree Quarterly Report**



**January – March 2009 Quarterly Report  
First Quarter 2009**

**April 29, 2009**

***Table of Contents***  
***CD Quarterly Report***  
***First Quarter 2009***  
***April 29, 2009***

**Section I – Description of Projects and Activities Conducted During This Quarter**

**Section II – SSOs During This Quarter**

**Section III – Description of Projects and Activities Anticipated During Next Quarter**

**Section IV – Violations**

**Section V – Additional Information**



**Section I**  
**CD Quarterly Report**  
**First Quarter 2009**  
**April 29, 2009**

**CD Language:**

**X. REPORTING REQUIREMENTS AND APPROVAL OF SUBMITTALS**

**29. Reports.**

**A. Quarterly Reports.**

(i) A description of all projects and activities conducted during the most recently completed calendar quarter to comply with the requirements of this Consent Decree, in Gantt chart or similar format.

**LFUCG's Response:**

The following two tables provide information on projects and activities conducted during the previous calendar quarter related to the sanitary sewer system.

Sanitary Sewer Projects  
CD Quarterly Report  
1st Quarter 2009

Project	Begin	Completion	Cost	Description	Progress This Quarter
North Elkhorn Force Main (NEFM)	Late Summer 2008	Fall 2009	\$ 11,451,451	NEPS 4th largest SSO, will service the entire NE Sewershed including Winchester Road, I-75 area, Dixie/Eastland Pkwy areas	Significant progress
North Elkhorn Pump Station (NEPS)	Winter 2007	Fall 2008	\$ 4,077,710	Old Force Main built 1978--new one will take 80% to TBWWTP Included state grant of \$1,691,500; serves same area NEFM; NEPS 4th largest SSO, will service the entire NE Sewershed	Waiting to connect to NEFM
South Elkhorn Force Main (SEFM)	March 2009	2010	\$ 10,994,864	SEPS is the worst SSO contributor/serves south Lexington	Bid awarded and work began
South Elkhorn Pump Station (SEPS)	Bids Opened March 2009	Summer 2010	\$ 5,002,000	Includes \$1,146,000 federal grant/Upgrade to existing pump station Includes a green infrastructure component	Bids advertised and opened
Blue Sky			\$ 1,930,000	Supplemental Environmental Project (SEP) to eliminate the plant.	Attorney retained to negotiate purchase of the Blue Sky WWTP. This action approved by Council and attorney working on this.
Dixie Pump Station			\$ 500,000	Required in CD	Consultant retained and draft RFP prepared
Deep Springs Pump Station			\$ 500,000	Required in CD	Consultant retained and draft RFP prepared
SSA Group 2 & 3	Spring/Summer 2009	Fall 2011		Required in CD	Re-advertised/re-bid this quarter
SSA Group 1	Fall 2008	Winter 2011	\$ 5,297,896	Required in CD	Continuing field work
FOG	Summer 2008	Spring 2009	\$ 50,000	Required by CD and recommended in CMOM	Draft submitted and being reviewed
Pump Station (PS) Adequacy Evaluation	Summer 2008	Spring 2009	\$ 265,000	Required by CD	Completed
PS Operation Plan for Power Outages	Summer 2008	Spring 2009	(In \$265,000)	Required by CD	Final draft submitted
CDM SSA Assess/Hydraulic Model & Cap	Spring 2008	2010	\$ 2,827,319	Required by CD	Calibrating Hydraulic Model

**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b><i>Consent Decree Section Number</i></b>	<b><i>Task</i></b>	<b><i>Work Completed – First Quarter (January 1, 2009 - March 31, 2009)</i></b>
<b>Sanitary Sewer Assessment (SSA) - The SSA Work Plan was submitted to the EPA and Kentucky EEC on June 9, 2008 (within 90 days of CD lodging)</b>		
VII(15)(B)	Group 1 – SSA East Hickman (EH) West Hickman (WH) Wolf Run (WR)	Stantec was selected by LFUCG to complete the Group 1 SSA Field Services. Work was initiated in September 2008 and progress made during the first quarter of 2009 is as follows: <ul style="list-style-type: none"> <li>• Completed installation of flow, groundwater and rainfall meters and initiated four-month monitoring period</li> <li>• Located/raised approximately 113 buried manholes</li> <li>• Completed approximately 60,100 linear feet of CCTV inspections (10%)</li> <li>• Completed 399 manhole inspections (3%)</li> <li>• Completed QA/QC review of 1,306,924 linear feet of smoke testing performed in the Fall of 2008 (52%)</li> </ul>
VII(15)(B)	Group 2 – SSA Town Branch (TB) Cane Run (CR)	Request for Proposals for Group 2 SSA Field Services were received on November 13, 2008, and resubmitted on April 9, 2009. Submittals are being reviewed.
VII(15)(B)	Group 3 – SSA North Elkhorn (NE) South Elkhorn (SE)	Request for Proposals for Group 3 SSA Field Services were received on November 13, 2008, and resubmitted on April 9, 2009. Submittals are being reviewed.

**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b><i>Consent Decree Section Number</i></b>	<b><i>Task</i></b>	<b><i>Work Completed – First Quarter (January 1, 2009 - March 31, 2009)</i></b>
VII(15)(C)	Sanitary Sewer Pumping Station Design, Capacity, and Equipment Condition Adequacy Evaluation	<p>Strand Associates, Inc. was selected by LFUCG to complete the Sanitary Sewer Pumping Station Design, Capacity, and Equipment Condition Adequacy Evaluation. Work was initiated in the summer of 2008 and progress made during the first quarter of 2009 is as follows:</p> <ul style="list-style-type: none"> <li>• Completed pump station evaluation of existing condition and draw down tests</li> <li>• Completed infrared scan of electrical equipment</li> <li>• Completed LFUCG pump station maintenance staff interviews</li> <li>• Completed LFUCG historical data review including record drawings, maintenance histories, and O/B summaries</li> <li>• Completed critical response time for each pump station</li> <li>• Completed power supply adequacy for each pump station</li> <li>• Completed lightning protection evaluation for each pump station</li> <li>• Completed operational history evaluation including power loss and lightning damage</li> <li>• Met with Kentucky Utilities staff to evaluate electrical service at each pump station</li> <li>• Completed draft report summarizing findings</li> <li>• Met with LFUCG staff to review draft report and to make revisions</li> <li>• Revised report to incorporate revisions made by LFUCG staff</li> <li>• Completed the Pumping Station Design, Capacity, and Equipment Condition Adequacy Evaluation Report, and LFUCG confirmed by March 7, 2009 letter to EPA and Kentucky EEC</li> </ul>
<b>Capacity Assessment (CA) – The CA Work Plan was submitted to the EPA and Kentucky EEC on September 9, 2008 (within six months of CD lodging)</b>		
VII(15)(D)	Group 1 – CA (EH, WH, WR)	<p>CDM was selected by LFUCG to complete the capacity assessment. Work was initiated in the spring of 2008 and tasks completed during the first quarter of 2009 are as follows:</p> <ul style="list-style-type: none"> <li>• Continued to resolve sewer attribute discrepancies using survey and other field data</li> <li>• Completed hydraulic model development</li> <li>• Completed RTK analysis of flow monitoring and rainfall data</li> <li>• Initiated model calibration</li> <li>• Performed initial capacity assessments</li> </ul>

**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b><i>Consent Decree Section Number</i></b>	<b><i>Task</i></b>	<b><i>Work Completed – First Quarter (January 1, 2009 - March 31, 2009)</i></b>
VII(15)(D)	Group 2 – CA (TB, CR)	CDM was selected by LFUCG to complete the capacity assessment. Work was initiated in the spring of 2008 and tasks completed during the first quarter of 2009 are as follows: <ul style="list-style-type: none"> <li>• Installed 48 flow monitors and 11 rain gauges</li> <li>• Initiated flow/rainfall monitoring data collection on 2/1/09</li> <li>• Initiated flow/rainfall monitoring data analyses</li> </ul>
VII(15)(D)	Group 3 – CA (NE, SE)	CDM was selected by LFUCG to complete the capacity assessment. Work was initiated in the spring of 2008 and tasks completed during the first quarter of 2009 are as follows: <ul style="list-style-type: none"> <li>• Installed 40 flow monitors and 10 rain gauges</li> <li>• Initiated flow/rainfall monitoring data collection on 2/1/09</li> <li>• Initiated flow/rainfall monitoring data analyses</li> <li>• Initiated hydraulic model development</li> </ul>
<b>Hydraulic Model Report – The Hydraulic Model Report was submitted to the EPA and Kentucky EEC on July 8, 2008 (within 120 days of CD lodging)</b>		
VII(15)(E)	Hydraulic Model	CDM was selected by LFUCG to complete the hydraulic model. Work was initiated in the spring of 2008 and tasks completed during the first quarter of 2009 are as follows: <ul style="list-style-type: none"> <li>• Completed Group 1 model development</li> <li>• Initiated Group 1 model calibration</li> <li>• Initiated Group 3 model development</li> </ul>

**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b>Consent Decree Section Number</b>	<b>Task</b>	<b>Work Completed – First Quarter (January 1, 2009 - March 31, 2009)</b>
<b>Capacity, Management Operation and Maintenance (CMOM) Programs Self Assessment</b>		
VII(16)	CMOM Program Self-Assessment	The CMOM was submitted to the EPA and Kentucky EEC on August 26, 2008. <ul style="list-style-type: none"> <li>• Awaiting EPA and Kentucky EEC comment</li> </ul>
VII(16)(A)(i)	Sewer Overflow Response Plan (SORP)	HDR Engineering was selected by LFUCG on July 12, 2007 to complete the SORP. Work has been completed and was submitted to the EPA and Kentucky EEC on July 25, 2008. <ul style="list-style-type: none"> <li>• Awaiting EPA and Kentucky EEC comment</li> </ul>
VII(16)(C)	Fats, Oils, and Grease (FOG) Control Program	TetraTech was selected by LFUCG to complete the FOG control program. Work was initiated in the summer of 2008 and progress made during the first quarter of 2009 is as follows: <ul style="list-style-type: none"> <li>• Drafted legal authority to control the discharge of grease into the sanitary sewer system</li> <li>• Developed specifications for acceptable devices to control the discharge of grease into the sanitary sewer system</li> <li>• Developed standards for design and construction of grease control devices</li> <li>• Developed grease control device management, operation and maintenance (O&amp;M) standards, and best management practices (BMPs)</li> <li>• Developed construction inspection protocols</li> <li>• Developed compliance inspection protocols</li> <li>• Drafted an enforcement program to ensure compliance with the FOG program</li> <li>• Developed a compliance assistance program to facilitate training grease generators and their employees</li> <li>• Developed a public education program directed at reducing the amount of grease entering the sanitary sewer system from private residences</li> <li>• Developed staffing and equipment requirements to ensure effective implementation of the program</li> <li>• Developed performance indicators to be used by LFUCG to measure effectiveness of their FOG program</li> <li>• Developed draft FOG Program Report for review by Division of Water Quality (DWQ) Staff</li> <li>• Met with DWQ staff to review the draft FOG Program report and to discuss recommended revisions</li> </ul>
VII(16)(D)	Gravity Line Preventative Maintenance Program (GLPMP)	HDR Engineering was tasked by LFUCG on March 13, 2009 to complete the GLPMP. Progress made during the first quarter of 2009 is as follows: <ul style="list-style-type: none"> <li>• Initiated GLPMP planning</li> </ul>
VII(16)(E)	Pump Station Operation Plan for Power Outages	Strand Associates, Inc. was selected by LFUCG to complete the pump station operation plan for power outages. Work was initiated in the Summer of 2008 and progress made during the first quarter of 2009 is as follows: <ul style="list-style-type: none"> <li>• Completed pump station site visits to determine existing condition</li> <li>• Completed LFUCG historical data review</li> <li>• Completed current backup power evaluation and emergency procedures for power outages</li> <li>• Evaluated emergency pumping alternatives</li> <li>• Completed emergency pumping alternatives cost analysis</li> <li>• Completed draft report summarizing findings</li> <li>• Met with DWQ staff to review the draft report and make revisions</li> <li>• Revised report to incorporate DWQ staff revisions</li> </ul>

The following two tables provide information on projects and activities conducted during the last calendar quarter related to the storm sewer system.

1.	Performance Standards – see the attached table highlighting the status of the Performance Standards with deadlines during the first quarter of 2009.
2.	Permit – A Public Hearing was held on Wednesday, February 18, 2009 to receive comments on LFUCG's draft MS4 permit.
3.	Ordinances – LFUCG staff and consultants have been revising existing ordinances and writing new ordinances to address enforcement, industrial facilities, high-risk commercial facilities, illicit discharges, and erosion and sediment control.
4.	Data Management – LFUCG has been finalizing an RFP to obtain data management services related to their assets and obligations of the MS4 program.
5.	Storm Sewer Mapping – LFUCG has begun mapping the storm sewer system in the Wolf Run and Town Branch watersheds, and has retained the Bluegrass Area Development District to obtain the structure data in the Town Branch watershed outside of New Circle Road.
6.	<p>New Hires – LFUCG has filled several new and existing positions this quarter to assist in implementing the Consent Decree and MS4 permit requirements. In particular, three new positions were created and filled in the Division of Environmental Policy this past quarter. The titles for these positions are:</p> <ul style="list-style-type: none"> <li>• Sr. Program Manager of Environmental Initiatives</li> <li>• Sr. Program Manager for Public Education and Outreach</li> <li>• Sr. Program Manager for Compliance and Enforcement</li> </ul>
7.	Stormwater Fee Task Force – A stormwater fee was presented to the Urban County Council in November 2008. A task force was created to study the proposed fee and make recommendations. The task force met 10 times during the first quarter of 2009.

8.	<p><b>Public Education –</b></p> <ul style="list-style-type: none"> <li>• Stormwater information has been added to the DWQ webpage at <a href="http://www.lexingtonky.gov">www.lexingtonky.gov</a>.</li> <li>• 3 press releases related to stormwater were issued during the first quarter of 2009.</li> <li>• \$70,000 was appropriated for the Lily Rain Barrel Program.</li> <li>• Presentations were made at two community meetings during this quarter. One to the development community on review of erosion and sediment control plans and one to the Fayette County Neighborhood Council.</li> <li>• A school group received stormwater training and a group of LFUCG employees received training during this quarter.</li> </ul>
9.	<p><b>Public Involvement –</b></p> <ul style="list-style-type: none"> <li>• LexCall staff were trained on the importance of properly routing illicit discharge calls on Wednesday, March 4, 2009.</li> <li>• LFUCG staff have also revised the LexCall reporting codes to appropriately reflect the new reporting procedures.</li> <li>• An outside vendor has been secured to manage the email distribution list.</li> <li>• LFUCG staff participated in the UK Energy Expo in January and in the Family Health Fair at Cardinal Crossing Apartments in February.</li> <li>• College students at BCTC in Lexington began marking storm drains.</li> </ul>



**Status of Consent Decree MS4 Performance Standards as of 3/31/09**

<b>MS4 Performance Standard</b>		<b>Completion Schedule Goal<sup>1</sup></b>	<b>Status</b>	<b>Comparison of Actual Performance to Performance Standard Goal</b>
CS 6	Commencing with the first full calendar month after entry of the Consent Decree, conduct monthly inspections of at least 90% of active construction sites with reasonable potential to discharge to the MS4.	First Full Calendar Month After CD Effective Date	Done	LFUCG met the 90% requirement each month from January 2009 through March 2009. 100% for January, 100% for February, and 95.7% for March.
PPRC 14	Commencing with the first full calendar month after entry of the Consent Decree, ensure the inspection of at least 90% of the publicly- and privately-owned detention basins with reasonable potential to discharge pollutants to the MS4 at least two times a year.	First Full Calendar Month After CD Effective Date	In Progress; On Schedule	LFUCG is on target to meet the 90% requirement for the period of January 2009 to July 2009. As of March 31, 2009, 541 out of 1162 detention basins had been inspected.
PPRC 15	Commencing with the first full calendar month after entry of the Consent Decree, ensure the inspection of at least 90% of the publicly- and privately-owned retention ponds with reasonable potential to discharge pollutants to the MS4 at least once a month.	First Full Calendar Month After CD Effective Date	Done	LFUCG met the 90% requirement each month from January 2009 through March 2009. 100% for all three months.
PPRC 16	Commencing with the first full calendar month after entry of the Consent Decree, ensure the inspection of at least 90% of the culverts in Appendix LL of the SWQMP for clogging and excessive buildup of sediment at least once a month and within three days of a rainfall of 1 inch or more in a calendar day.	First Full Calendar Month After CD Effective Date	Done	LFUCG met the 90% requirement for the monthly inspection each month from January 2009 through March 2009. 98% for all three months. There was one storm in January 2009 with greater than 1 inch of rainfall in a calendar day (1.27.09 @ 1.72"). LFUCG was unable to complete the follow-up inspections due to the extenuating circumstances of the ice storm that hit on 1.28.09.
<b>2009 Deadlines</b>				
IDDE 6	Complete and commence implementation by January 31, 2009, of procedures for conducting inspections and investigations when monitoring data, reported incidents, or other information indicate the likely existence of an illicit discharge.	1/31/09	Done	A copy of the procedures was included in the CD Annual Report submitted on 1/29/09.
IDDE 10	Develop database to track the IDDE program by January 31, 2009.	1/31/09	Done	Screenshots of the database were included in the CD Annual Report submitted on 1/29/09.
IDDE 27	By January 31, 2009, develop and commence implementation of a protocol for elimination of confirmed illicit discharges.	1/31/09	Done	A copy of the procedures was included in the CD Annual Report submitted on 1/29/09.
CS 5	By January 31, 2009, review construction site inspection and enforcement procedures and the existing inspection checklist and develop and commence implementation of revised procedures and checklist. Revised enforcement procedures shall provide for use of escalating enforcement remedies. Such procedures shall serve as a guide in LFUCG's enforcement program but shall not limit LFUCG's enforcement discretion in particular cases.	1/31/09	Done	A new construction site inspection checklist was developed and implemented in July 2008. A guidance document was prepared that provides the regulatory basis for each item on the checklist. Inspections are conducted by staff in the Division of Water Quality and the Division of Engineering and the results are entered into a database. Enforcement procedures have been clarified and strengthened in a guidance document entitled Enforcement Response Plan. An enforcement flowchart has also been prepared.
CS 8	By January 31, 2009, develop a database to track active construction sites, inspections, and enforcement actions.	1/31/09	Done	Screenshots of the database were included in the CD Annual Report submitted on 1/29/09.
CS 15	By January 31, 2009, develop and commence implementation of procedures for summary review of construction site erosion control plans to assess whether plans reasonably include measures that address potential water quality impacts from construction prior to authorization of land disturbance.	1/31/09	Done	New procedures for reviewing erosion and sediment controls plans have been developed. The new procedures apply to plans submitted on or after February 1, 2009. The development community was informed of the new review procedures on January 16, 2009. Training sessions were held with LFUCG staff on January 22, 2009 and with the development community on February 6, 2009.
PPRC 6	By January 31, 2009, develop and propose an ordinance to the UCC that would require proper maintenance, cleaning, and repair of privately-owned stormwater control structures which were required under approved plans or ordinances.	1/31/09	Done	An ordinance was presented to the Urban County Council at their Work Session on January 27, 2009. The ordinance describes the responsibilities of the property owner and LFUCG. The ordinance was passed by the council on March 26, 2009 and has been signed by the Mayor.

Notes: <sup>1</sup>Refer to the completion schedule in the transmittal letter.

MS4 Performance Standard		Completion Schedule Goal <sup>1</sup>	Status	Comparison of Actual Performance to Performance Standard Goal
PPRC 9	By January 31, 2009, develop and commence implementation of a program to maintain publicly-owned or operated stormwater controls. Such program shall address publicly-owned or operated retention ponds, detention basins, Stormceptors, catch basins, culvert inlets, and open channels. Such program shall provide for inspections in accordance with the inspection frequency outlined in Exhibit 1 – Inspection Frequency for Stormwater Controls. Such program shall further provide for the scheduling and implementation of cleaning, maintenance, and repairs determined to be necessary during inspections.	1/31/09	Done	LFUCG has clarified and updated the program for maintaining publicly-owned or operated stormwater controls. The document was included in the CD Annual Report submitted on 1/29/09. LFUCG has developed an inventory of LFUCG-owned detention basins and Stormceptors, and an inventory of privately-owned detention basins and retention ponds.
PPRC 17	By January 31, 2009, based upon results of inspections, prepare a prioritized schedule for and perform necessary repairs, cleaning, and maintenance for those structures (in Exhibit 1 – Inspection Frequency for Stormwater Controls) for which LFUCG is responsible.	1/31/09	Done	LFUCG currently inspects detention basins twice a year and retention ponds once a month. In addition to the publicly-owned facilities, LFUCG currently maintains the structural components of residential detention basin embankments. In general, the inspections conducted in 2008 indicate that the facilities are performing as designed and no remedial maintenance is required. However, an inspection did find that the Northpoint detention basin embankment needs to be reconstructed. The work is scheduled to occur in 2009.
PPMO 12	Develop an inspection schedule for known stormwater quality controls at LFUCG facilities by January 31, 2009, and commence implementation of the inspection schedule by January 31, 2010.	1/31/09	Done, but commence implementation by 1/31/10.	Each stormwater quality treatment facility on LFUCG property is inspected annually. The document describing these inspections was included in the CD Annual Report submitted on 1/29/09.
IN 1	Update the inventory of Industrial Facilities with reasonable potential to discharge pollutants to the MS4 on an annual basis commencing January 31, 2009.	1/31/09	Done, but will reoccur annually.	Received the updated inventory from KDOW in December 2008. The inventory was included in the CD Annual Report submitted on 1/29/09.
IN 2	By January 31, 2009, develop a database to track relevant information, including enforcement and corrective action, regarding Industrial Facilities and High-Risk Commercial Facilities.	1/31/09	Done	Screenshots of the database were included in the CD Annual Report submitted on 1/29/09.

Notes: <sup>1</sup>Refer to the completion schedule in the transmittal letter.

**Section II**  
**CD Quarterly Report**  
**First Quarter 2009**  
**April 29, 2009**

**CD Language:**

**X. REPORTING REQUIREMENTS AND APPROVAL OF SUBMITTALS**

**29. Reports.**

**A. Quarterly Reports.**

(ii) The date, locations, estimated volume, and cause (if known) of all SSOs for the most recently completed quarter; a cumulative accounting of the estimated reduction in volume and in number of occurrences of SSOs and Unpermitted Bypasses.

**LFUCG's Response:**

The attached tables provide information related to SSOs and Unpermitted Bypasses during the most recently completed calendar quarter. The following is a list of the tables included:

- Overview of Overflow and Bypass Frequency and Volume and Precipitation Information
- 1st Quarter 2009 Manhole Overflows sorted chronologically
- 1st Quarter 2009 Manhole Overflows sorted by cause
- 1st Quarter 2009 vs. 1st Quarter 2008 and 4<sup>th</sup> Quarter 2008 (provides a listing of all individual overflow locations and lists the number of overflows for each specific location for each quarter along with a comparison of total estimated overflow volume)
- 1st Quarter 2009 Pump Station Overflows and Bypasses sorted chronologically
- 1st Quarter 2009 vs. 1st Quarter 2008 and 4<sup>th</sup> Quarter 2008 (provides a listing of all individual overflow/bypass locations and lists the number of overflows for each specific location for each quarter along with a comparison of total estimated overflow volume)
- 1st Quarter 2009 WWTP Unpermitted Bypasses

**Lexington-Fayette  
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Overview**

1st Quarter 2009 SSO Report Comparative Overview						
Source	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008	Total Estimated Overflow Volume 1st QTR 2009	Total Estimated Overflow Volume 1st QTR 2008	Total Estimated Overflow Volume 4th QTR 2008
Manhole Overflows	66	229	46	4,074,195	36,830,784	3,321,931
Pump Station Overflows and/or Bypasses	30	90	16	9,479,891	58,992,689	5,421,716
WWTP Unpermitted Bypasses	0	0	0	0	0	0
Total Cumulative Combined Totals	96	319	62	13,554,086	95,823,473	8,743,647

Quarterly Liquid Precipitaion				
Quarter	January	February	March	Total Cumulative
1st Qtr 2009	4.32	2.53	2.39	9.24
1st Qtr 2008	3.91	6.11	6.31	16.33
4th Qtr 2008	1.53	2.53	6.03	10.09
Note: Quarterly Liquid Precipitation readings were acquired from the University of Kentucky Agricultural Weather Center at the following website <a href="http://www.agwx.ca.uky.edu">http://www.agwx.ca.uky.edu</a>				

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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
1/7/2009	CR2_165A	1036	Pennebaker Drive	Grease	6,400
1/7/2009	WR7_108	2101	Regency Road	Grease	5,550
1/24/2009	SE5_134	940	Bravington Way	Rocks, Wood, Limbs	2,750
1/25/2009	WH3_55A	3051	Kirklevington Drive	Roots & Grease	38,250
1/28/2009	CR4_49N	602	Radcliffe Road	Flooding Rain Event	7,250
1/28/2009	CR6_121	N/A	Shropshire @ E. Seventh	Flooding Rain Event	11,800
1/28/2009	EH4_70	457	Larkwood Drive	Flooding Rain Event	17,200
1/28/2009	NE1_1B	2201	Elkhorn Road	Flooding Rain Event	59,000
1/28/2009	TB3_510	767	Winchester Road	Flooding Rain Event	30,000
1/28/2009	WH7_97H	2401	Richmond Road	Flooding Rain Event	43,725
1/28/2009	WH2_395A	1156	Appian Crossing Way	Flooding Rain Event	3,425
1/28/2009	WH2_395B	1145	Appian Crossing Way	Flooding Rain Event	3,425
1/28/2009	WH2_396A	1176	Appian Crossing Way	Flooding Rain Event	13,700
1/28/2009	WH2_418	3661	Niles Court	Flooding Rain Event	725
1/28/2009	WH2_419Z	3665	Niles Court	Flooding Rain Event	725
1/28/2009	WH2_477A	1457	Stephen Foster Drive	Flooding Rain Event	38,500
1/28/2009	WH3_420	3565	Olympia Road	Flooding Rain Event	9,650
1/28/2009	WH3_450	3555	Olympia Road	Flooding Rain Event	9,650
1/28/2009	WH3_451	3549	Olympia Road	Flooding Rain Event	9,650
1/28/2009	WH3_55A	3051	Kirklevington Drive	Flooding Rain Event	292,600
1/28/2009	WH3_56	3501	Kirklevington Drive	Flooding Rain Event	292,600
1/28/2009	WH3_658	3422	Greentree Road	Flooding Rain Event	35,600
1/28/2009	WH3_67	3393	Tates Creek Road	Flooding Rain Event	293,150
1/28/2009	WH5_45A	3134	Montavesta Drive	Flooding Rain Event	23,400
1/28/2009	WH5_5	3310	Tates Creek Road	Flooding Rain Event	215,800
1/28/2009	WH6_102	3641	Barrow Wood Lane	Flooding Rain Event	8,075
1/28/2009	WH6_102A	3637	Barrow Wood Lane	Flooding Rain Event	8,325
1/28/2009	WH6_104	3625	Barrow Wood Lane	Flooding Rain Event	92,950
1/28/2009	WH6_3	1158	Dunbarton Lane	Flooding Rain Event	141,600

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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
1/28/2009	WH6_429	867	Edgewater	Flooding Rain Event	58,000
1/28/2009	WH6_645	2309	The Woods Lane	Flooding Rain Event	62,800
1/28/2009	WH6_74	3538	Creekwood Drive	Flooding Rain Event	173,850
1/28/2009	WH6_75	3540	Creekwood Drive	Flooding Rain Event	24,025
1/28/2009	WH7_103	2350	Woodhill Drive	Flooding Rain Event	70,600
1/28/2009	WH7_280A	204	St Ann Drive	Flooding Rain Event	11,650
1/28/2009	WH7_294	209	St Ann Drive	Flooding Rain Event	58,200
1/28/2009	WH7_295A	209	St Ann Drive	Flooding Rain Event	38,800
1/28/2009	WH7_304	209	St. Ann Drive	Flooding Rain Event	10,000
1/28/2009	WH7_35A	2300	Richmond Road	Flooding Rain Event	61,500
1/28/2009	WH7_35A	2400	Richmond Road	Flooding Rain Event	37,400
1/28/2009	WH7_36	2300	Richmond Road	Flooding Rain Event	80,400
1/28/2009	WH7_97E	2401	Richmond Road	Flooding Rain Event	60,900
1/28/2009	WH7_97G	2349	Richmond Road	Flooding Rain Event	40,700
1/28/2009	WH7_97H	2401	Richmond Road	Flooding Rain Event	20,000
1/28/2009	WH7_98	2349	Richmond Road	Flooding Rain Event	20,100
2/10/2009	CR3_51	772	N. Broadway	Engineered Cross Connection	37,800
2/10/2009	TB5_14	441	Park Avenue	Engineered Cross Connection	6,000
2/10/2009	TB5_17	443	Oldham Avenue	Engineered Cross Connection	8,250
2/10/2009	WR5_9	782	Allendale Drive	Engineered Cross Connection	885,600
2/10/2009	WH7_35A	2300	Richmond Road	Flooding Rain Event	502,200
2/10/2009	WR4_25	380	Bob-O-Link Road	Flooding Rain Event	45,000
2/16/2009	TB1_325C	461	Ash Street	Grease	400
3/2/2009	WH3_55A	3051	Kirklevington Drive	Roots	11,400
3/4/2009	WH5_45A	3190	Montavesta Drive	Grease	6,350
3/7/2009	NE3_228	2208	Santa Anita Drive	Roots	305
3/7/2009	SE3_346	3060	Fieldstone Way	Roots	275
3/12/2009	CR7_60A	1067	Whipple Court	Debris	590

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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
3/13/2009	N/A	3399	Tates Creek Road	This was a spill by Compliance Enviro Systems Vactor when a mechanical valve opened and spilled ~100 gallons of fluid during a LFUCG Project	100
3/15/2009	TB3_510	801	Winchester Road	Grease	6,250
3/17/2009	BC1_4	390	Blue Sky Pky	Inlet Hose to Pump Station full of debris	840
3/18/2009	BC1_4	390	Blue Sky Pky	Line stopped up with debris	535
3/23/2009	N/A	4750	Hartland Pky	This was a overflowing grease trap at Kroger's - did not spill into the San System nor was it caused by the San System	7,500
3/26/2009	TB3_233C	240	Clark Street	Roots	150
3/26/2009	WH7_35A	2300	Richmond Road	Sustained Rain Event	4,000
3/26/2009	WH7_36	2300	Richmond Road	Sustained Rain Event	4,000
3/31/2009	NE1_541	1997	General Warfield Way	Roots	2,250
Combined Total Estimated Overflow Volume					4,074,195

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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
Debris					
1/24/2009	SE5_134	940	Bravington Way	Rocks, Wood, Limbs	2,750
3/12/2009	CR7_60A	1067	Whipple Court	Debris	590
3/17/2009	BC1_4	390	Blue Sky Pky	Inlet Hose to Pump Station full of debris	840
3/18/2009	BC1_4	390	Blue Sky Pky	Line stopped up with debris	535
		Total Overflows	4	Total Estimated Overflow Volume	4,715

Grease					
1/7/2009	CR2_165A	1036	Pennebaker Drive	Grease	6,400
1/7/2009	WR7_108	2101	Regency Road	Grease	5,550
2/16/2009	TB1_325C	461	Ash Street	Grease	400
3/4/2009	WH5_45A	3190	Montavesta Drive	Grease	6,350
3/15/2009	TB3_510	801	Winchester Road	Grease	6,250
		Total Overflows	5	Total Estimated Overflow Volume	24,950

Roots					
1/25/2009	WH3_55A	3051	Kirklevington Drive	Roots & Grease	38,250
3/2/2009	WH3_55A	3051	Kirklevington Drive	Roots	11,400
3/7/2009	NE3_228	2208	Santa Anita Drive	Roots	305
3/7/2009	SE3_346	3060	Fieldstone Way	Roots	275
3/26/2009	TB3_233C	240	Clark Street	Roots	150
3/31/2009	NE1_541	1997	General Warfield Way	Roots	2,250
		Total Overflows	6	Total Estimated Overflow Volume	52,630



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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
Rain Event(s)					
1/28/2009	CR4_49N	602	Radcliffe Road	Flooding Rain Event	7,250
1/28/2009	CR6_121	N/A	Shropshire @ E. Seventh	Flooding Rain Event	11,800
1/28/2009	EH4_70	457	Larkwood Drive	Flooding Rain Event	17,200
1/28/2009	NE1_1B	2201	Elkhorn Road	Flooding Rain Event	59,000
1/28/2009	TB3_510	767	Winchester Road	Flooding Rain Event	30,000
1/28/2009	WH7_97H	2401	Richmond Road	Flooding Rain Event	43,725
1/28/2009	WH2_395A	1156	Appian Crossing Way	Flooding Rain Event	3,425
1/28/2009	WH2_395B	1145	Appian Crossing Way	Flooding Rain Event	3,425
1/28/2009	WH2_396A	1176	Appian Crossing Way	Flooding Rain Event	13,700
1/28/2009	WH2_418	3661	Niles Court	Flooding Rain Event	725
1/28/2009	WH2_419Z	3665	Niles Court	Flooding Rain Event	725
1/28/2009	WH2_477A	1457	Stephen Foster Drive	Flooding Rain Event	38,500
1/28/2009	WH3_420	3565	Olympia Road	Flooding Rain Event	9,650
1/28/2009	WH3_450	3555	Olympia Road	Flooding Rain Event	9,650
1/28/2009	WH3_451	3549	Olympia Road	Flooding Rain Event	9,650
1/28/2009	WH3_55A	3051	Kirklevington Drive	Flooding Rain Event	292,600
1/28/2009	WH3_56	3501	Kirklevington Drive	Flooding Rain Event	292,600
1/28/2009	WH3_658	3422	Greentree Road	Flooding Rain Event	35,600
1/28/2009	WH3_67	3393	Tates Creek Road	Flooding Rain Event	293,150
1/28/2009	WH5_45A	3134	Montavesta Drive	Flooding Rain Event	23,400
1/28/2009	WH5_5	3310	Tates Creek Road	Flooding Rain Event	215,800
1/28/2009	WH6_102	3641	Barrow Wood Lane	Flooding Rain Event	8,075
1/28/2009	WH6_102A	3637	Barrow Wood Lane	Flooding Rain Event	8,325
1/28/2009	WH6_104	3625	Barrow Wood Lane	Flooding Rain Event	92,950
1/28/2009	WH6_3	1158	Dunbarton Lane	Flooding Rain Event	141,600
1/28/2009	WH6_429	867	Edgewater	Flooding Rain Event	58,000
1/28/2009	WH6_645	2309	The Woods Lane	Flooding Rain Event	62,800
1/28/2009	WH6_74	3538	Creekwood Drive	Flooding Rain Event	173,850

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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
1/28/2009	WH6_75	3540	Creekwood Drive	Flooding Rain Event	24,025
1/28/2009	WH7_103	2350	Woodhill Drive	Flooding Rain Event	70,600
1/28/2009	WH7_280A	204	St Ann Drive	Flooding Rain Event	11,650
1/28/2009	WH7_294	209	St Ann Drive	Flooding Rain Event	58,200
1/28/2009	WH7_295A	209	St Ann Drive	Flooding Rain Event	38,800
1/28/2009	WH7_304	209	St. Ann Drive	Flooding Rain Event	10,000
1/28/2009	WH7_35A	2300	Richmond Road	Flooding Rain Event	61,500
1/28/2009	WH7_35A	2400	Richmond Road	Flooding Rain Event	37,400
1/28/2009	WH7_36	2300	Richmond Road	Flooding Rain Event	80,400
1/28/2009	WH7_97E	2401	Richmond Road	Flooding Rain Event	60,900
1/28/2009	WH7_97G	2349	Richmond Road	Flooding Rain Event	40,700
1/28/2009	WH7_97H	2401	Richmond Road	Flooding Rain Event	20,000
1/28/2009	WH7_98	2349	Richmond Road	Flooding Rain Event	20,100
2/10/2009	CR3_51	772	N. Broadway	Engineered Cross Connection	37,800
2/10/2009	TB5_14	441	Park Avenue	Engineered Cross Connection	6,000
2/10/2009	TB5_17	443	Oldham Avenue	Engineered Cross Connection	8,250
2/10/2009	WR5_9	782	Allendale Drive	Engineered Cross Connection	885,600
2/10/2009	WH7_35A	2300	Richmond Road	Flooding Rain Event	502,200
2/10/2009	WR4_25	380	Bob-O-Link Road	Flooding Rain Event	45,000
3/26/2009	WH7_35A	2300	Richmond Road	Sustained Rain Event	4,000
3/26/2009	WH7_36	2300	Richmond Road	Sustained Rain Event	4,000
		Total Overflows	49	Total Estimated Overflow Volume	3,984,300

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1st Quarter 2009 Sanitary Sewer Overflows (manholes)					
Date	Mh id #	Number	Address	Cause	Estimated Overflow Volume
Other					
3/13/2009	N/A	3399	Tates Creek Road	This was a spill by Compliance Enviro Systems Vactor when a mechanical valve opened and spilled ~100 gallons of fluid during a LFUCG Project	100
3/23/2009	N/A	4750	Hartland Pky	This was a overflowing grease trap at Kroger's - did not spill into the San System nor was it caused by the San System	7,500
		Total Overflows	2	Total Estimated Overflow Volume	7,600
					Combined Total Estimated Overflow Volume
					4,074,195

**Lexington-Fayette  
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First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 vs. 1st Quarter 2008 and 4th Quarter 2008 Sanitary Sewer Overflows (manholes)						
Mh id #	Number	Address	Cause	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008
C/O	3487	Lansdowne Dr., Private Property	debris	0	1	0
C/O	545	S. Limestone, Private Property	grease	0	1	0
C/O	428	Meadow Park	main line broken by private contractor	0	0	1
BC1_4	390	Blue Sky Pky	Inlet Hose to Pump Station full of debris	2	0	0
CR2_165A	1036	Pennebaker Drive	Grease	1	0	0
CR3_170	N/A	Arceme Ave @ N. Limestone	gravel and debris	0	0	1
CR3_51	772	N. Broadway	Engineered Cross Connection	1	2	0
CR4_49N	602	Radcliffe Road	Flooding Rain Event	1	0	0
CR6_121	N/A	Shropshire @ E. Seventh	Flooding Rain Event	1	0	0
CR7_60A	1067	Whipple Court	Debris	1	0	0
EH4_414	474	Grayson Lake Dr.	mud	0	1	0
EH4_544	305	Lindenhurst Dr.	grease	0	0	1
EH4_70	457	Larkwood Drive	Flooding Rain Event	1	0	0
EH4_691	3080	Wavecrest Way	grease	0	1	0
FM_ARV32	990	Star Shoot PKWY	damaged force main	0	3	0
N/A	2197	Versailles Rd.	grease	0	1	0
N/A	3336	High Hope Rd.	roots	0	1	0
N/A	3551	Juliann Cir	roots	0	1	0
N/A	N/A	Scott St., Dickie Hall, UK	bypass pumping failure, CM	0	1	0
N/A	1400	Gainesway Dr.	line break	0	1	0
N/A	3399	Tates Creek Road	This was a spill by Compliance Enviro Systems Vector when a mechanical valve opened and spilled ~100 gallons of fluid during a LFUCG Project	1	0	0

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 vs. 1st Quarter 2008 and 4th Quarter 2008 Sanitary Sewer Overflows (manholes)						
Mh id #	Number	Address	Cause	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008
N/A	4750	Hartland Pky	This was a overflowing grease trap at Kroger's - did not spill into the San System nor was it caused by the San System	1	0	0
NE1_173A	1166	Industry Rd.	main line damaged by gas co. repair activities	0	0	1
NE1_1B	2201	Elkhorn Road	Flooding Rain Event, (2008 (4) rain events and (3) due to F/M repairs)	1	7	1
NE1_541	1997	General Warfield Way	Roots	1	0	0
NE2_53	1831	Eastland Pkwy	roots	0	0	1
NE3_228	2208	Santa Anita Drive	Roots	1	0	0
SE3_346	3060	Fieldstone Way	Roots	1	0	0
SE5_134	940	Bravington Way	Rocks, Wood, Limbs	1	0	0
SE5_891	3558	Juliann Cir	roots	0	1	0
TB1_246A	551	W Sixth St.	grease	0	1	0
TB1_302	521	Bright Ave	grease	0	0	1
TB1_325C	461	Ash Street	Grease	1	0	0
TB1_379B	920	Lima Ct.	grease	0	0	1
TB2_594	383	Bucoto Ct.	roots	0	0	1
TB3_226	121	N. Martin Luther King	grease	0	1	0
TB3_233C	240	Clark Street	Roots	1	0	0
TB3_276	N/A	Intersection E 2nd St @ Elmtree Ln.	grease	0	0	1
TB3_393	557	E Third St.	rags & grease	0	0	1
TB3_510	767	Winchester Road	Flooding Rain Event & Grease	2	0	0
TB5_14	441	Park Avenue	Engineered Cross Connection	1	2	0
TB5_17	443	Oldham Avenue	Engineered Cross Connection	1	2	0
WH1_68	3720	Red River Dr.	roots	0	1	0

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 vs. 1st Quarter 2008 and 4th Quarter 2008 Sanitary Sewer Overflows (manholes)						
Mh id #	Number	Address	Cause	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008
WH10_320	109	Vanderbilt Dr.	roots	0	1	0
WH2_131	440	Lancelot Ln.	sustained rain event	0	1	0
WH2_148A	3051	Kirklevington Dr.	sustained rain event	0	1	0
WH2_17	1057	Brookfield Dr.	roots	0	1	0
WH2_179	3553	Laredo Dr.	sustained rain event	0	2	0
WH2_181	3501	Laredo Dr.	sustained rain event	0	2	0
WH2_395A	1156	Appian Crossing Way	Flooding Rain Event	1	0	0
WH2_395B	1145	Appian Crossing Way	Flooding Rain Event	1	0	0
WH2_396A	1176	Appian Crossing Way	Flooding Rain Event	1	0	0
WH2_418	3661	Niles Court	Flooding Rain Event	1	0	0
WH2_419Z	3665	Niles Court	Flooding Rain Event	1	7	1
WH2_477A	1457	Stephen Foster Drive	Flooding Rain Event	1	0	1
WH3_148A	3051	Kirklevington Dr.	sustained rain event	0	6	1
WH3_354	3498	Greentree Road	flooding rain event	0	0	1
WH3_420	3565	Olympia Road	Flooding Rain Event	1	0	0
WH3_450	3555	Olympia Road	Flooding Rain Event	1	2	0
WH3_451	3549	Olympia Road	Flooding Rain Event	1	0	0
WH3_527A	3646	Bold Bidder Dr.	grease	0	1	0
WH3_55A	3051	Kirklevington Drive	Roots / Grease & Flooding Rain Event	3	0	0
WH3_56	3501	Kirklevington Drive	Flooding Rain Event	1	7	1
WH3_628	3418	Pimlico Pkwy	sustained rain event	0	1	0
WH3_630	3428	Crimson King Ct.	sustained rain event	0	1	1
WH3_658	3422	Greentree Road	Flooding Rain Event	1	6	1
WH3_67	3393	Tates Creek Road	Flooding Rain Event	1	3	1
WH5_112B	3190	Merrick Park	roots	0	0	1
WH5_123	3117	Lamar Dr.	sustained rain event	0	4	1

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 vs. 1st Quarter 2008 and 4th Quarter 2008 Sanitary Sewer Overflows (manholes)						
Mh id #	Number	Address	Cause	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008
WH5_155A	260	Old Mt. Tabor Rd.	sustained rain event	0	1	0
WH5_166	260	Old Mt. Tabor Rd.	sustained rain event	0	1	0
WH5_21	3389	Montavesta Rd.	grease	0	1	0
WH5_44	3202	Montavesta Rd.	sustained rain event	0	4	1
WH5_45	3134	Montavesta Rd.	sustained rain event	0	3	1
WH5_45A	3134	Montavesta Drive	Flooding Rain Event & Grease	2	5	1
WH5_45B	3134	Montavesta Rd.	sustained rain event	0	5	1
WH5_5	3310	Tates Creek Road	Flooding Rain Event	1	3	0
WH6_100	3665	Barrow Wood Ln.	sustained rain event	0	1	1
WH6_101	3649	Barrow Wood Ln.	sustained rain event	0	1	1
WH6_102	3641	Barrow Wood Lane	Flooding Rain Event	1	4	1
WH6_102A	3637	Barrow Wood Lane	Flooding Rain Event	1	6	1
WH6_103	3633	Barrow Wood Ln.	sustained rain event	0	4	1
WH6_104	3625	Barrow Wood Lane	Flooding Rain Event	1	7	1
WH6_299S	500	Laketower Dr. bldg # 80	rags & roots	0	0	1
WH6_3	1158	Dunbarton Lane	Flooding Rain Event	1	0	0
WH6_429	867	Edgewater	Flooding Rain Event	1	1	0
WH6_645	2309	The Woods Lane	Flooding Rain Event	1	7	1
WH6_74	3538	Creekwood Drive	Flooding Rain Event	1	2	1
WH6_75	3540	Creekwood Drive	Flooding Rain Event	1	2	1
WH6_96	3544	Creekwood Dr.	sustained rain event	0	1	0
WH6_98	3544	Creekwood Dr.	sustained rain event	0	6	1
WH7_103	2350	Woodhill Drive	Flooding Rain Event	1	0	0
WH7_280		Idle Hour @ St. Ann Dr.	sustained rain event	0	1	1
WH7_280A	204	St Ann Drive	Flooding Rain Event	1	3	1
WH7_294	209	St Ann Drive	Flooding Rain Event	1	2	1
WH7_295A	209	St Ann Drive	Flooding Rain Event	1	3	1

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 vs. 1st Quarter 2008 and 4th Quarter 2008 Sanitary Sewer Overflows (manholes)						
Mh id #	Number	Address	Cause	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008
WH7_304	209	St. Ann Drive	Flooding Rain Event	1	0	0
WH7_35A	2300	Richmond Road	Flooding Rain Event	4	7	1
WH7_36	2300	Richmond Road	Flooding Rain Event	2	7	1
WH7_420A	2121	Richmond Rd.	sustained rain event	0	3	0
WH7_97E	2401	Richmond Road	Flooding Rain Event	1	4	1
WH7_97G	2349	Richmond Road	Flooding Rain Event	1	3	1
WH7_97H	2401	Richmond Road	Flooding Rain Event	2	0	0
WH7_98	2349	Richmond Road	Flooding Rain Event	1	4	1
WH8_109	109	Toronto Rd.	roots	0	1	0
WR1_56A	1921	Dunkirk Dr.	grease	0	1	0
WR2_101A	N/A	Gardenside Park, Yorktown Rd.	sustained rain event	0	2	0
WR2_102		wolf Run Park, Maywick View Ln.	sustained rain event	0	5	0
WR2_103		Gardenside Park, Yorktown Rd.	sustained rain event	0	1	0
WR2_150	1324	Bordeaux Dr.	roots	0	1	0
WR2_306	1745	Traveller Rd.	sustained rain event	0	1	0
WR2_319	1733	Traveller Rd.	sustained rain event	0	1	0
WR2_488	N/A	Wolf Run Park, Maywick View Ln.	sustained rain event	0	4	0
WR2_51	2284	Versailles Rd.(WR2_53, WR2_79)	bypass pump failure(private)	0	1	0
WR2_626		Versailles Rd. @ Parkers Mill Rd.	grease	0	1	0
WR2_91	N/A	Wolf Run Park, Maywick View Ln.	sustained rain event	0	5	0
WR2_1000	2284	Versailles Rd.	gravel	0	0	1
WR3_103	N/A	Gardenside Park, Yorktown Rd.	sustained rain event	0	2	0
WR3_308	1853	Normandy Rd.	sustained rain event	0	3	0
WR3_96	2101	Cypress Dr.	grease	0	1	0
WR4_10	586	Bob-O-Link Rd.	sustained rain event	0	5	0
WR4_25	380	Bob-O-Link Rd.	Flooding Rain Event	1	6	0
WR4_9	586	Bob-O-Link Rd.	sustained rain event	0	7	0



**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009**

**vs.**

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 vs. 1st Quarter 2008 and 4th Quarter 2008 Sanitary Sewer Overflows (manholes)						
Mh id #	Number	Address	Cause	Number of Overflows 1st QTR 2009	Number of Overflows 1st QTR 2008	Number of Overflows 4th QTR 2008
WR5_11C	820	Lane Allen Rd.	grease	0	1	0
WR5_9	782	Allendale Drive	Engineered Cross Connection	1	2	0
WR7_47	275	Southland Dr.	sustained rain event	0	1	0
WR7_108	2101	Regency Road	Grease	1	0	0
Total Number of Overflows Per Respective Quarter				66	229	46
Total Estimated Volume of Overflows Per Respective Quarter				4,074,195	36,830,784	3,321,931

**Lexington-Fayette**  
**Division of Water Quality**  
**Quarterly SSO Reports**  
**First Quarter 2009**  
**Pump Stations**

1st Quarter 2009 Sanitary Sewer Overflows/By Passes (Pump Stations)						
Date	By-Pass/ Overflow	Pump Station Name	Number	Address	Cause*	Estimated Overflow Volume
1/27/2009	By-Pass	GreenBrier #1	3770	KatKay Dr.	Utility Power Fail	5,148
1/27/2009	By-Pass	GreenBrier #2	3592	Winchester Rd.	Utility Power Fail	1,870
1/27/2009	By-Pass	Hartland #1	3630	Timberwood Ln.	Utility Power Fail	1,558
1/28/2009	Overflow	Armstrong Mill	2755	Armstrong Mill Rd.	Excessive Rain Water	42,048
1/28/2009	By-Pass	Bluegrass Field	1031	Air Freight Dr.	Utility Power Fail	53,302
1/28/2009	Overflow	Deep Springs	469	Anniston Dr.	Excessive Rain Water	29,750
1/28/2009	Overflow	Deep Springs	469	Anniston Dr.	Excessive Rain Water	41,360
1/28/2009	By-Pass	Dixie	1459	Huntsville Dr.	Utility Power Fail	851
1/28/2009	By-Pass	Dixie	1459	Huntsville Dr.	Utility Power Fail	28,749
1/28/2009	Overflow	East Hickman	3316	Buckhorn Dr.	Excessive Rain Water	2,046,720
1/28/2009	By-Pass	East Lake	1326	Fenwick Rd.	Utility Power Fail	71,586
1/28/2009	By-Pass	GreenBrier #1	3770	KatKay Dr.	Utility Power Fail	20,658
1/28/2009	Overflow	GreenBrier #2	3592	Winchester Rd.	Excessive Rain Water	118,560
1/28/2009	By-Pass	Grinder	4260	Airport Rd.	Utility Power Fail	3,032
1/28/2009	By-Pass	Hartland #1	3630	Timberwood Ln.	Utility Power Fail	21,566
1/28/2009	Overflow	North Elkhorn	2201	Elkhorn Rd.	Excessive Rain Water	437,000
1/28/2009	Overflow	Sharon Village	1985	Haggard Ct.	Excessive Rain Water	29,920
1/28/2009	Overflow	South Elkhorn	2500	Bowman Mill Rd.	Excessive Rain Water	4,590,800
1/28/2009	By-Pass	St. Martins	959	St. Martins Ave.	Utility Power Fail	6,642
1/28/2009	Overflow	Thoroughbred Acres	619	Parkside Dr.	Excessive Rain Water	553,600
1/28/2009	Overflow	Wolf Run	755	Enterprise Dr.	Excessive Rain Water	847,000
1/31/2009	By-Pass	Deep Springs	469	Anniston Dr.	Utility Power Fail	121,260

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009  
Pump Stations**

1st Quarter 2009 Sanitary Sewer Overflows/By Passes (Pump Stations)						
Date	By-Pass/ Overflow	Pump Station Name	Number	Address	Cause*	Estimated Overflow Volume
2/1/2009	By-Pass	GreenBrier #1	3770	KatKay Dr.	Allied Emergency Generator Fail	1,276
2/10/2009	Overflow	South Elkhorn	2500	Bowman Mill Rd.	Excessive Rain Water	110,400
2/10/2009	Overflow	South Elkhorn	2500	Bowman Mill Rd.	Excessive Rain Water	276,000
2/11/2009	By-Pass	GreenBrier #1	3770	KatKay Dr.	Utility Power Fail	2,266
2/11/2009	By-Pass	GreenBrier #1	3770	KatKay Dr.	Utility Power Fail	1,408
2/11/2009	By-Pass	GreenBrier #2	3592	Winchester Rd.	Utility Power Fail	979
2/11/2009	By-Pass	GreenBrier #2	3592	Winchester Rd.	Utility Power Fail	704
2/11/2009	By-Pass	Sharon Village	1985	Haggard Ct.	Utility Power Fail	13,878
Combined Total Estimated Overflow/By-Pass Volume						9,479,891

\*Kentucky experienced a crippling ice storm on January 27-28, 2009. Over 45,000 utility customers in Lexington were without power.

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
Pump Stations  
First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 Sanitary Sewer Overflows/By Passes (Pump Stations) vs. 1st Quarter and 4th Quarter 2008 Sanitary Sewer Overflows/By-Passes							
Pump Station Name	Number	Address	Cause		Number of Overflows/ By-Passes 1st QTR 09	Number of Overflows/ By-Passes 1st QTR 08	Number of Overflows/ By-Passes 4th QTR 08
Armstrong Mill	2755	Armstrong Mill Rd.	Excessive Rain Water	Overflow	1	0	0
Bluegrass Field	1031	Air Freight Dr.	Utility Power Fail	By-Pass	1	3	0
Deep Springs	469	Anniston Dr.	Excessive Rain Water	Overflow	2	7	1
Deep Springs	469	Anniston Dr.	Excessive Rain Water	By-Pass	1	0	1
Dixie	1459	Huntsville Dr.	Utility Power Fail	By-Pass	2	0	0
Dixie	1459	Huntsville Dr.	Excessive Rain Water	Overflow	0	4	1
East Hickman	3316	Buckhorn Dr.	Excessive Rain Water	Overflow	1	13	1
East Hickman	3316	Buckhorn Dr.	Control Failure	By-Pass	0	1	0
East Lake	1326	Fenwick Rd.	Utility Power Fail	By-Pass	1	1	0
East Lake	1326	Fenwick Rd.	Excessive Rain Water	Overflow	0	2	1
Electronics Park	609	Bizzel Dr.	Power Failure	By-Pass	0	1	0
GreenBrier #1	3770	KatKay Dr.	Utility Power Fail	By-Pass	5	0	0
GreenBrier #1	3770	KatKay Dr.	Excessive Rain Water	Overflow	0	7	1
GreenBrier #2	3592	Winchester Rd.	Utility Power Fail	By-Pass	3	0	0
GreenBrier #2	3592	Winchester Rd.	Excessive Rain Water	Overflow	1	3	0
Grinder	4260	Airport Rd.	Utility Power Fail	By-Pass	1	0	0
Hartland #1	3630	Timberwood Ln.	Utility Power Fail	By-Pass	2	0	0
Hartland #1	3630	Timberwood Ln.	Excessive Rain Water	Overflow	0	2	1
Keeneland	4091	Versailles Rd.	Air Valve Failure	By-Pass	0	1	0
LCR	1760	McGrathiana Pkwy	Excessive Rain Water	Overflow	0	2	0
North Elkhorn	2201	Elkhorn Rd.	Excessive Rain Water	Overflow	1	4	1
North Elkhorn	2201	Elkhorn Rd.	Force Main Repair	By-Pass	0	3	1
Shadeland	857	Glendover	Excessive Rain Water	Overflow	0	2	0
Shandon Park #2	765	Kingston Dr.	Excessive Rain Water	Overflow	0	1	0
Sharon Village	1985	Haggard Ct.	Excessive Rain Water	Overflow	1	6	2
Sharon Village	1985	Haggard Ct.	Utility Power Fail	By-Pass	1	0	1

**Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
Pump Stations  
First Quarter 2009**

vs.

**First Quarter 2008 and Fourth Quarter 2008**

1st Quarter 2009 Sanitary Sewer Overflows/By Passes (Pump Stations) vs. 1st Quarter and 4th Quarter 2008 Sanitary Sewer Overflows/By-Passes							
Pump Station Name	Number	Address	Cause		Number of Overflows/ By-Passes 1st QTR 09	Number of Overflows/ By-Passes 1st QTR 08	Number of Overflows/ By-Passes 4th QTR 08
South Elkhorn	2500	Bowman Mill Rd.	Excessive Rain Water	Overflow	3	12	1
St. Martins	959	St. Martins Ave.	Utility Power Fail	By-Pass	1	0	0
Thoroughbred Acres	619	Parkside Dr.	Excessive Rain Water	Overflow	1	7	2
TownBranch	335	Jimmie Campbell Dr.	Power Failure	By-Pass	0	1	0
Winburn	1985	Russel Cave Rd.	Excessive Rain Water	Overflow	0	2	1
Wolf Run	755	Enterprise Dr.	Excessive Rain Water	Overflow	1	3	0
Wolf Run	755	Enterprise Dr.	Motor / Power failure	By-Pass	0	2	0
Total Number of Overflow(s) / By-Pass(es) Per Respective Quarter					30	90	16
Total Estimated Overflow / By-Pass Volume Per Respective Quarter					9,479,891	58,992,689	5,421,716

***Lexington-Fayette  
Division of Water Quality  
Quarterly SSO Reports  
First Quarter 2009  
WWTP Unpermitted Bypasses***

1st Quarter 2009 Unpermitted Bypasses WWTP					
Date	Facility Name	Number	Address	Cause	Estimated Overflow Volume
				Total Number of Unpermitted Bypasses	0

**Section III**  
**CD Quarterly Report**  
**First Quarter 2009**  
**April 29, 2009**

**CD Language:**

**X. REPORTING REQUIREMENTS AND APPROVAL OF SUBMITTALS**

**29. Reports.**

**A. Quarterly Reports.**

(iii) The anticipated projects and activities that will be performed in the next quarter to comply with the requirements of this Consent Decree, in Gantt chart or similar format.

**LFUCG's Response:**

The following two tables provide information on projects and activities anticipated in the next calendar quarter related to the sanitary sewer system.

Sanitary Sewer Projects  
CD Quarterly Report  
1st Quarter 2009

Project	Begin	Completion	Cost	Description	Anticipated Activity for Next Quarter (2nd Quarter 2009)
North Elkhorn Force Main (NEFM)	Late Summer 2008	Fall 2009	\$ 11,451,451	NEPS 4th largest SSO, will service the entire NE Sewershed including Winchester Road, I-75 area, Dixie/Eastland Pkwy areas	Continue construction
North Elkhorn Pump Station (NEPS)	Winter 2007	Fall 2008	\$ 4,077,710	Old Force Main built 1978—new one will take 80% to TBWWTP Included state grant of \$1,691,500; serves same area NEFM; NEPS 4th largest SSO, will service the entire NE Sewershed	Waiting for NEFM
South Elkhorn Force Main (SEFM)	March 2009	2010	\$ 10,994,864	SEPS is the worst SSO contributor/serves south Lexington	Continue construction
South Elkhorn Pump Station (SEPS)	Bids Opened March 2009	Summer 2010	\$ 5,002,000	Includes \$1,146,000 federal grant/Upgrade to existing pump station Includes a green infrastructure component	Award contract & begin work
Blue Sky			\$ 1,930,000	Supplemental Environmental Project (SEP) to eliminate the plant	Present offer/continue to negotiate
Dixie Pump Station			\$ 500,000	Required in CD	Refine RFP and possibly advertise
Deep Springs Pump Station			\$ 500,000	Required in CD	Refine RFP and possibly advertise
SSA Group 2 & 3	Spring/Summer 2009	Fall 2011		Required in CD	Award contracts & begin work
SSA Group 1	Fall 2008	Winter 2011	\$ 5,297,896	Required in CD	Continue field work
FOG	Summer 2008	Spring 2009	\$ 50,000	Required by CD and recommended in CMOM	Finalize report
Pump Station (PS) Adequacy Evaluation	Summer 2008	Spring 2009	\$ 265,000	Required by CD	Finalize report
PS Operation Plan for Power Outages	Summer 2008	Spring 2009	(In \$265,000)	Required by CD	Finalize report
CDM SSA Assess/Hydraulic Model & Cap	Spring 2008	2010	\$ 2,827,319	Required by CD	Calibrating Hydraulic Model/Test



**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b><i>Consent Decree Section Number</i></b>	<b><i>Task</i></b>	<b><i>Work Anticipated to be Completed - Second Quarter (April 1, 2009 - June 30, 2009)</i></b>
<b>Sanitary Sewer Assessment (SSA) - The SSA Work Plan was submitted to the EPA and Kentucky EEC on June 9, 2008 (within 90 days of CD lodging)</b>		
VII(15)(B)	Group 1 – SSA East Hickman (EH) West Hickman (WH) Wolf Run (WR)	Stantec anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Complete 155,700 linear feet of CCTV inspection (25%)</li> <li>• Complete 2,700 manhole inspections (25%)</li> <li>• Complete all night flow isolation</li> <li>• Complete four-month flow/groundwater/rainfall monitoring</li> <li>• Continue to locate and raise buried manholes as needed</li> </ul>
VII(15)(B)	Group 2 – SSA Town Branch (TB) Cane Run (CR)	<ul style="list-style-type: none"> <li>• Selected contractor will initiate Group 2 SSA field services</li> </ul>
VII(15)(B)	Group 3 – SSA North Elkhorn (NE) South Elkhorn (SE)	<ul style="list-style-type: none"> <li>• Selected contractor will initiate Group 3 SSA field services</li> </ul>

**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b><i>Consent Decree Section Number</i></b>	<b><i>Task</i></b>	<b><i>Work Anticipated to be Completed - Second Quarter (April 1, 2009 - June 30, 2009)</i></b>
VII(15)(C)	Sanitary Sewer Pumping Station Design, Capacity, and Equipment Condition Adequacy Evaluation	Strand Associates, Inc. completed all activities associated with this task during the first quarter of 2009. The information obtained will be included in the sanitary sewer assessment (SSA) reports for each sewer group
<b>Capacity Assessment (CA) – The CA Work Plan was submitted to the EPA and Kentucky EEC on September 9, 2008 (within six months of CD lodging)</b>		
VII(15)(D)	Group 1 – CA (EH, WH, WR)	CDM anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Complete model calibration</li> <li>• Develop further flow projections</li> <li>• Perform capacity assessments</li> </ul>

**Lexington-Fayette Urban County Government (LFUCG) Consent Decree First Quarter 2009 Report**  
**January 1, 2009 – March 31, 2009**

<b><i>Consent Decree Section Number</i></b>	<b><i>Task</i></b>	<b><i>Work Anticipated to be Completed - Second Quarter (April 1, 2009 - June 30, 2009)</i></b>
VII(15)(D)	Group 2 – CA (TB, CR)	CDM anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Complete flow/rainfall monitoring</li> <li>• Perform RTK analyses on flow/rainfall monitoring data</li> <li>• Initiate hydraulic model development</li> </ul>
VII(15)(D)	Group 3 – CA (NE, SE)	CDM anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Complete flow/rainfall monitoring</li> <li>• Perform RTK analyses on flow/rainfall monitoring data</li> <li>• Continue hydraulic model development</li> </ul>
<b>Hydraulic Model Report – The Hydraulic Model Report was submitted to the EPA and Kentucky EEC on July 8, 2008 (within 120 days of CD lodging)</b>		
VII(15)(E)	Hydraulic Model	CDM anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Complete Group 1 model calibration</li> <li>• Initiate Group 2 model development</li> <li>• Continue Group 3 model development</li> </ul>

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<b>Capacity, Management Operation and Maintenance (CMOM) Programs Self Assessment</b>		
VII(16)	CMOM Program Self-Assessment	The CMOM was submitted to the EPA and Kentucky EEC on August 26, 2008. <ul style="list-style-type: none"> <li>• Awaiting EPA and Kentucky EEC comment</li> </ul>
VII(16)(A)(i)	Sewer Overflow Response Plan (SORP)	HDR Engineering was selected by LFUCG on July 12, 2007 to complete the SORP. Work has been completed and was submitted to the EPA and Kentucky EEC on July 25, 2008. <ul style="list-style-type: none"> <li>• Awaiting EPA and Kentucky EEC comment</li> </ul>
VII(16)(C)	Fats, Oils, and Grease (FOG) Control Program	TetraTech anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Revise the draft FOG program report to reflect revisions made by DWG staff</li> <li>• Submit the FOG program report to EPA and Kentucky EEC</li> </ul>
VII(16)(D)	Gravity Line Preventative Maintenance Program (GLPMP)	HDR Engineering anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Develop draft GLPMP protocol and procedures, including the following: <ul style="list-style-type: none"> <li>◊ Routine hydraulic cleaning program</li> <li>◊ Routine mechanical cleaning program</li> <li>◊ Root control program</li> </ul> </li> </ul> <p>Each program will include provisions for needs determination, establishing priorities and scheduling, number of crews and personnel (including contract crews), equipment to be used, standard procedures, standard forms, records and performance measures, and an information management system</p>
VII(16)(E)	Pump Station Operation Plan for Power Outages	Strand Associates, Inc. anticipates completing the following tasks during the second quarter of 2009: <ul style="list-style-type: none"> <li>• Submit report to EPA and Kentucky EEC</li> </ul>

The following table provides information on projects and activities anticipated in the next calendar quarter related to the storm sewer system.

1.	Performance Standards – There are 3 performance standards with deadlines immediately following the 2 <sup>nd</sup> quarter of 2009. 2 are related to ordinances for industrial and high-risk commercial facilities and the other is regarding an Enforcement Response Plan for the industrial facility program.
2.	Permit – LFUCG will continue to work with KDOW to finalize the permit.
3.	Ordinances – LFUCG will present ordinances to council related to enforcement, industrial facilities, and high-risk commercial facilities.
4.	Data Management – LFUCG intends to issue the RFP for the data management system.
5.	Storm Sewer Mapping – LFUCG will continue the mapping effort in Wolf Run and Town Branch.
6.	New Hires – LFUCG will be creating two positions for Enforcement Specialists, with the anticipation that one position will be filled in the 2 <sup>nd</sup> quarter of 2009.
7.	Stormwater Fee Task Force – The Water Quality Management Fee will be proposed to the council.
8.	Public Education – <ul style="list-style-type: none"> <li>• Intend to publish an article in the LFUCG <i>Employee Extra</i>.</li> <li>• DWQ employees will receive training on spill reporting.</li> </ul>
9.	Public Involvement – <ul style="list-style-type: none"> <li>• Reforest The Bluegrass will be held in April 2009.</li> <li>• The Great American Cleanup will be held April 2009 through July 2009.</li> <li>• College students at BCTC in Lexington will continue marking storm drains.</li> </ul>
10.	Industrial Facilities – Training for LFUCG employees who will be conducting inspections of industrial facilities and high-risk commercial facilities will take place in April 2009.
11.	Construction Sites – An audit or spot-check of construction site inspections is anticipated to take place in the 2 <sup>nd</sup> quarter of 2009.

**Section IV**  
**CD Quarterly Report**  
**First Quarter 2009**  
**April 29, 2009**

**CD Language:**

**X. REPORTING REQUIREMENTS AND APPROVAL OF SUBMITTALS**

**29. Reports.**

**A. Quarterly Reports.**

(iv) If LFUCG violates any requirement of this Consent Decree or has reason to believe that it is likely to violate any requirement of this Consent Decree in the future, LFUCG shall notify the United States and EPPC of such violation and its likely duration, with an explanation of the violation's likely cause and of the remedial steps taken, and/or to be taken, to prevent or minimize such violation. If the cause of a violation cannot be fully explained at the time the report is due, LFUCG shall include a statement to that effect in the report. LFUCG shall investigate to determine the cause of the violation and then shall submit an amendment to the report, including a full explanation of the cause of the violation, within thirty (30) days after the quarterly report.

**LFUCG's Response:**

Since the Consent Decree is not effective due to the Court's ruling denying entry of the Consent Decree on limited grounds, all project completion and plan implementation dates set forth in the Consent Decree are interpreted to be goals. As such, LFUCG has not violated any requirement of this Consent Decree to date, and has no reason to believe that it will violate any requirements of this Consent Decree in the upcoming quarter or in the foreseeable future. LFUCG is proceeding with implementation of plans, programs, and projects included in the Consent Decree, and anticipates meeting project completion and plan implementation date goals.

**Section V**  
**CD Quarterly Report**  
**First Quarter 2009**  
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**A. Quarterly Reports.**

(v) Any additional information that demonstrates that LFUCG is implementing the remedial measures required in this Consent Decree.

**LFUCG's Response:**

The following table lists the items that have been submitted to EPA and EEC, the date submitted, and the current approval status, if applicable.

Project/Program/Report Name	Date Submitted	Current Approval Status
Notification of WWTP Backup Power Installation/Completion	2008-Mar-31	N/A
SSA Work Plan	2008-Jun-09	N/A
Hydraulic Model Report	2008-Jul-08	N/A
Notification of Appendix F Cross Connections Eliminated	2008-Jul-09	N/A
Sewer Overflow Response Plan	2008-Jul-25	Under EPA/EEC Review
CMOM Self-Assessment	2008-Aug-26	Under EPA/EEC Review
Capacity Assessment Work Plan	2008-Sep-09	N/A
2008 Annual Report	2009-Jan-29	N/A
Notification of Pump Station Design, Capacity, and Equipment Condition Adequacy Evaluation Report Completion	2009-Mar-07	N/A